

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:23-cr-20031

v.

Honorable Thomas L. Ludington
United States District Judge

OSCAR REYES HERRERA,

Defendant.

Honorable Patricia T. Morris
United States Magistrate Judge

/

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING GUILTY
PLEA, AND TAKING RULE 11 PLEA AGREEMENT UNDER ADVISEMENT**

Magistrate Judge Patricia T. Morris conducted a plea hearing upon Defendant Oscar Reyes Herrera's consent. ECF No. 15. On January 24, 2023, Judge Morris issued an R&R recommending that this Court accept Defendant's guilty plea. ECF No. 17.

Although the R&R provides that the Parties may object to and seek review of it within 14 days of service, neither Plaintiff nor Defendant filed any objections. They have therefore waived their right to appeal Judge Morris's findings that Defendant was competent to enter a plea and did so knowingly, voluntarily, without coercion, and with a basis in fact. *See FED. R. CRIM. P. 11(b); Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that Judge Morris's Report and Recommendation, ECF No. 17, is **ADOPTED**.

Further, it is **ORDERED** that Defendant's guilty plea is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 15, is **TAKEN UNDER ADVISEMENT**.

Dated: February 13, 2023

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge